

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2013 – 9I -F

DATE OF NOTICE: September 25, 2013

The Office of Water Quality issues the following **MAJOR INDUSTRIAL NPDES PERMIT RENEWAL:**

BP Products North America, Inc., NPDES Permit No. IN0000108, LAKE COUNTY, Whiting, Indiana 46394. The BP Products North America, Inc. is a petroleum refinery located within the boundaries of Whiting, East Chicago, and Hammond, Indiana. BP Products North America, Inc. is authorized to discharge treated process wastewater from normal refinery operations including maintenance, turnaround activities, excavation, dewatering, construction activities, tank cleaning, and temporary flows from upsets or downtime and storm water from Ineos, and process wastewater from Praxair, recovered ground water, and other related offsite facilities, such as pipelines and terminals wastewater as well as most of the storm water from the site and re-treatment of off spec WWTP effluent. This industrial facility discharges to Lake Michigan and the Lake George Branch of the Indiana Harbor Ship Canal via existing permitted outfalls. The refinery discharges, as a long-term average, 15.7 million gallons per day (MGD) of treated effluent through Outfall 005 into Lake Michigan. The maximum monthly average is 19.9 MGD. The refinery discharges, as a long-term average, 73.7 MGD of once-through non-contact cooling water through Outfall 002, into Lake Michigan. The refinery intermittently discharges the balance of its storm water through Outfalls 003 and 004 into the Lake George Branch of the Indiana Harbor Ship Canal.

As part of this NPDES permit renewal, IDEM has approved the continuation of alternate thermal effluent limitations in accordance with Section 316(a) of the Clean Water Act and 327 IAC 5-7. The Streamlined Mercury Variance has also been renewed in accordance with 327 IAC 5-3.5. Permit Writer: Steve Roush at (317) 233-5747 or sroush@idem.in.gov

APPEAL PROCEDURES FOR FINAL PERMITS

The Final Permit (which includes the Fact Sheet, Response to Comments and other pertinent documents) is available for review & copies at IDEM/Office of Water Quality, IGCN 1255, 100 N Senate Ave, INDPLS, IN - from 9 – 4, M - F (copies 10¢ per page). To request an E mail copy, send to Damita Ivey at divey@idem.in.gov. The Permit also available at the Lake County Health Department, the IDEM Northwest Regional Office, and it is also posted on IDEM's web site at <http://www.in.gov/idem/5338.htm>. **Please tell others whom you think would be interested in this matter.** For information concerning your rights and responsibilities, go to <http://www.in.gov/idem/5474.htm>; Citizen Guide: <http://www.in.gov/idem/5903.htm>.

Appeal Procedure: Any person affected by the issuance of the Final Permit may appeal by filing a Petition for Administrative Review with the Office of Environmental Adjudication **within** eighteen (18) days of the date of this Public Notice. Any appeal request must be filed in accordance with IC 4-21.5-3-7 and must include facts demonstrating that the party requesting appeal is the applicant; a person aggrieved or adversely affected or is otherwise entitled to review by law.

Timely filing: The Petition for Administrative Review must be received by the Office of Environmental Adjudication (OEA) **within** 18 days of the date of this Public Notice; either by U.S. Mail postmark or by private carrier with dated receipt. This Petition for Administrative Review represents a request for an Adjudicatory Hearing, therefore must:

- state the name and address of the person making the request;
- identify the interest of the person making the request;
- identify any persons represented by the person making the request;
- state specifically the reasons for the request;
- state specifically the issues proposed for consideration at the hearing; and
- identify the permit terms and conditions which, in the judgment of the person making the request, would be appropriate to satisfy the requirements of the law governing this NPDES Permit.

If the person filing the Petition for Administrative Review desires any part of the NPDES Final Permit to be stayed pending the outcome of the appeal, a Petition for Stay must be included in the appeal request, identifying those parts to be stayed. Both Petitions shall be mailed or delivered to the address listed here:

Environmental Law Judge
Office of Environmental Adjudication
IGC – North Building- Room 501
100 N. Senate Avenue
Indianapolis, IN 46204

Stay Time frame: If the Petition (s) is filed within eighteen (18) days of the mailing of this Public Notice, the effective date of any part of the permit, within the scope of the Petition for Stay is suspended for fifteen (15) days. The Permit will become effective again upon expiration of the fifteen (15) days, unless or until an Environmental Law Judge stays the permit action in whole or in part.

Hearing Notification: Pursuant to Indiana Code, when a written request is submitted, the OEA will provide the petitioner or any person wanting notification, with the Notice of pre-hearing conferences, preliminary hearings, hearing stays or orders disposing of the Petition for Administrative Review. Petition for Administrative Review must be filed in compliance with the procedures and time frames outlined above. Procedural or scheduling questions should be directed to the OEA at the following telephone number: (317) 232-8591.